

<b>AMENDMENT TRANSMITTAL LETTER</b>				Attorney Docket No: 00121-000700000		
Application Serial Number: 10/695,889		Filing Date: 10/28/2003		Examiner: Gabriel L. Chu		Art Unit: 2114
Invention: Failure Analysis Method and System for Storage Area Networks						
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	35	MINUS	35	0	\$50	\$ 0.00
INDEP. CLAIMS	7	MINUS	7	0	\$200	\$ 0.00
____ Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of ____ to and through ____, comprising an extension of the shortened statutory period of:						
<div style="display: flex; justify-content: space-around;"> <div>           ____ one month (\$120.00)            ____ two months (\$460.00)         </div> <div>           ____ three months (\$1050.00)            ____ four months (\$1640.00)         </div> </div>						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						
____ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.						
____ <u>xx</u> A copy of the Notification of Non-compliant Appeal brief is enclosed.						
____ A check in the amount of \$ ____ is attached.						
____ Charge \$ ____ to Deposit Account _____.						
____ <u>xx</u> No additional fee is required.						
<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div> <u>6/2/2008</u> date         </div> <div> <u>/Leland Wiesner/</u> Leland Wiesner Reg. No. 39424         </div> </div>						
I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on_.						
_____ Leland Wiesner						Reg. No. 39424



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,889	10/28/2003	Gautam Ghose	00121-000700000	7789
7590	05/02/2008		EXAMINER	
Law Office Of Leland Wiesner 1144 Fife Ave. Palo Alto, CA 94301			ART UNIT	PAPER NUMBER

DATE MAILED: 05/02/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliant Appeal Brief  
(37 CFR 41.37)**

Application No.

10/695,889

Applicant(s)

GHOSE ET AL.

Examiner

TRACEY M. YOUNG

Art Unit

2800

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

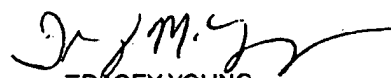
The Appeal Brief filed on 25 April 2008 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.  
**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and **relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☐ Other (including any explanation in support of the above items):

4. Summary of claimed subject matter must identify and refer to all independent claims on appeal to specification by page and line number or paragraph number and to the drawings, if any.

The entire brief is not required only the section found defective.



TRACEY YOUNG  
PATENT APPEAL CENTER SPECIALIST